

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

LBRY Inc. ,

1:21-cv-00260-PB

Defendant,

LBRY Foundation Inc.,

Defendant-Intervenor.

**NOTICE OF APPEAL**

Notice is hereby given that LBRY Foundation Inc., a proposed Defendant-Intervenor in the above-named case, hereby appeals to the United States Court of Appeals for the First Circuit from an order denying its motion to intervene in the case entered in this action on July 29, 2021.

Dated: August 3, 2021

Respectfully submitted,

*/s/ Simon R. Brown*

Simon R. Brown (N.H. Bar No. 9279)  
PRETI, FLAHERTY, BELIVEAU & PACHIOS, PLLP  
P.O. Box 1318  
57 North Main Street  
Concord, NH, 03302-1318  
Tel: (603) 410-1500  
Email: [sbrown@preti.com](mailto:sbrown@preti.com)

Cory C. Kirchert (pro hac vice)  
Adriaen M. Morse Jr. (pro hac vice)  
ARNALL GOLDEN GREGORY LLP  
1775 Pennsylvania Avenue, NW, Suite 1000  
Washington, DC 20006  
Tel: (202) 677-4058  
Email: adriaen.morse@agg.com  
Email: cory.kirchert@agg.com

*Counsel for Proposed Defendant-Intervenor*

**CERTIFICATE OF SERVICE**

I hereby certify that, on August 3, 2021, I caused true and correct copies of the foregoing Notice of Appeal to be served on counsel of record for all parties that have appeared to date through the Court's CM/ECF system as listed below.

Peter Moores, Esq.  
Eric Forni, Esq.  
Marc Jonathan Jones, Esq.  
U.S. Securities and Exchange Commission  
33 Arch Street, 24th Floor  
Boston, MA 02110

William E. Christie, Esq.  
Shaheen & Gordon, P.A.  
107 Storrs Street  
P.O. Box 2703  
Concord, NH 03302-2703

*/s/ Simon R. Brown*  
\_\_\_\_\_  
Simon R. Brown